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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/752,616 | 12/28/2000 | Michel Bruno | CH919990030US1 | 9446 |

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SCULL, SCOTT, MURPHY & PRESSER
400 GARDEN CITY PLAZA
GARDEN CITY, NY 11530-0299

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| EXAMINER |
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FUNK, STEPHEN R

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| ART UNIT | PAPER NUMBER |
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2854

DATE MAILED: 04/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,616

Applicant(s)

BRUNO ET AL.

Examiner

Stephen R Funk

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 31,33,34,37 and 38 is/are allowed.
- 6) ☒ Claim(s) 32,36 and 39-47 is/are rejected.
- 7) ☒ Claim(s) 35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2854

The disclosure is objected to because of the following informalities: In the paragraph inserted on page 15 line 4, first line, “as” should be --is--. Appropriate correction is required.

The amendment filed February 2, 2004 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: In the paragraph inserted on page 15 line 10 the disclosure of the force transducer comprising “measuring one or more sensors”.

Applicant is required to cancel the new matter in the reply to this Office Action.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The specification does not appear to support the recitation in claim 32 lines 3 - 4 that proximate the unencumbered areas are “structures forming said patterned layer”. The only apparent support for this recitation is the paragraph starting on page 7 line 14 in the specification which discloses “additional structures are provided which narrow the unencumbered area in at least one direction”. However, it is not clear which structures applicant is referring to. Are these the printing structures (3) or the support structures (14)? The remaining disclosure on pages 7 and 8 in the specification would appear to indicate the support structures. Applicant is requested to clarify in the specification, with proper support, and in the claims which structures are being referred to.

Claims 35 and 36 are objected to because of the following informalities:

In each of claims 35 and 36 “said structured depths” lack proper antecedent basis.

Appropriate correction is required.

Art Unit: 2854

Claims 32, 36, and 39 - 47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 32 line 3 it is not clear which structures are being referred to in the phrase “structures forming said patterned layer”. Are these the printing structures (3) or support structures (14)?

Claim 36 is an exact duplicate of claim 35, from which it depends.

In claim 39 lines 4 “said areas containing patterned structures” lacks proper antecedent basis and appears to contradict the following statement that these areas form recesses. Presumably, the areas being referred to are the unencumbered areas. Simply deleting “containing patterned structures” would appear to correct this.

In claim 42 lines 1 - 2 it is not clear how the stamp device forms both the patterned layer and the surface of the substrate. In claim 31 line 1 the stamp device is separate and distinct from the substrate. Overall, the meaning of lines 1 - 2 is unclear. Note again that the substrate is not an element of the stamp device and any recitation of self-aligning means on the substrate renders the scope of the claim indefinite. It is suggested that the claim clearly indicate that the stamp device is being claimed in combination with the substrate so that the self-aligning means on the stamp device and the substrate are proper elements of the combination.

In claim 47 line 2 “a closed gaseous network” appears to be a double recitation of the “fluidic or gas network” in claim 39 line 7. However, it is not clear if these networks are the same or different in some manner.

Claims 31, 33, 34, 37, and 38 are allowed.

Art Unit: 2854

Claims 35 and 36 would be allowable if rewritten or amended to overcome the objection(s) set forth in this Office action.

Claims 32, 36, and 39 - 47 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Applicant's arguments filed February 2, 2004 have been fully considered but they are not persuasive. Applicant's claim that the additional disclosure of sensors in the specification only clarifies the aspects of a force transducer is not persuasive as a force transducer may comprise something other than a sensor. That a force transducer may be a sensor does not entitle applicant to add this subject matter to the disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

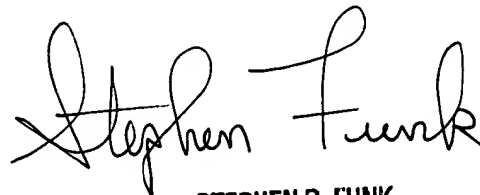
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen R. Funk whose telephone number is (571) 272-2164.

Art Unit: 2854

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Hirshfeld, can be reached at (571) 272-2168.

The fax phone number for ALL official papers is (703) 872-9306. Upon consulting with the examiner *unofficial* papers only may be faxed directly to the examiner at (571) 273-2164.

SRF
April 15, 2004

A handwritten signature in black ink that reads "Stephen Funk". The signature is written in a cursive, flowing style with a large initial "S" and "F".

**STEPHEN R. FUNK
PRIMARY EXAMINER**